

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

RECEIVED

NOV 4 2019

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Carlton Theodore Landis

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

19cv50290

Judge Philip G. Reinhard
Magistrate Judge Lisa A. Jensen

Federal Bureau of Prisons

Office of Personnel Management

Bureau of Alcohol, Tobacco, Firearms, and Explosives

Executive Office of United States Attorneys

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

☐ **COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983**
U.S. Code (state, county, or municipal defendants)

☐ **COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE**
28 SECTION 1331 U.S. Code (federal defendants)

☒ **OTHER (cite statute, if known)** Freedom of Information Act / Privacy Act

BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

I. Plaintiff(s):

- A. Name: Carlton Theodore Landis
- B. List all aliases: Carlton Theodore Landers
- C. Prisoner identification number: 24449-056
- D. Place of present confinement: AUSP Thomson
- E. Address: P.O. Box 1001, Thomson, IL 61285

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Bureau of Prisons
 Title: ~~XXXX~~ Federal Agency
 Place of Employment: ~~XXXX~~ 320 First Street, NW, Washington, DC 20534
- B. Defendant: Office of Personnel Management
 Title: ~~XXXX~~ Federal Agency
 Place of Employment: ~~XXXX~~ 1900 E Street, NW, Washington, DC 20415-7900
- C. Defendant: Bureau of Alcohol, Tobacco, Firearms, and Explosives
 Title: ~~XXXX~~ Federal Agency
 Place of Employment: ~~XXXX~~ 99 New York Avenue, NE, Washington, DC 20226

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: Landis v. Ebbert; 1:19-cv-470
- B. Approximate date of filing lawsuit: March 15, 2019
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: Curtton Theodore Landis
- D. List all defendants: Ebbert, Kopke, Saridge, Langton, Sunshine Wicz, Steele, Ormand, Conners, Herwitz, Bureau of Prisons
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Middle District of Pennsylvania
- F. Name of judge to whom case was assigned: Christopher C. Conner
- G. Basic claim made: Defendants Violated Plaintiff's rights by revoking recreation privilege for six months
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Pending
- I. Approximate date of disposition: N/A

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

(If you need additional space for ANY section, please attach an additional sheet and reference that section.)

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

1. Plaintiff is a federal inmate currently incarcerated at Administrative United States Penitentiary Thomson. Currently, plaintiff has been incarcerated for approximately seven years. Since plaintiff has been incarcerated, plaintiff has sought to develop his skill as a writer, as plaintiff aspires to be a novelist. Plaintiff is currently in the process of writing a novel (legal thriller) which requires research consistent with the following Freedom of Information Act ("FOIA") requests. Furthermore, Plaintiff has several law suits pending, and the FOIA requests will allow Plaintiff to ascertain information about the defendants in those law suits.

2. On or about July of 2018 Plaintiff submitted a FOIA request to the Office of Personnel Management ("OPM"), requesting that it disclose all data fields (name, salary, title, etc.) concerning all persons employed at the Bureau of Prisons ("BOP") in 2017. Plaintiff never received a response from the OPM in regard to this request even though

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

Plaintiff submitted a inquiry letter to the OPM about this request in August of 2018. ~~the OPM~~

3. On or about January of 2019 Plaintiff submitted a FOIA request to the BOP, requesting that it disclose the name, salary (Past and Present), title (Past and Present), and job description of any Case Manager, Counselor, Nurse, Supervisor of Education, and Teacher employed at United States Penitentiary ("USP") Lewisburg. The BOP responded to the FOIA request, assigning plaintiff a Tracking Number (Currently unknown, as Plaintiff does not have access to his property); the BOP claimed that the "complex" request would take up to nine months to fulfill. On or about September of 2019 Plaintiff submitted an inquiry letter to the BOP in regard to this request, but Plaintiff never received a response.

4. On or about January of 2019 Plaintiff submitted a FOIA request, via Certified Mail, to the OPM, requesting that it disclose all data fields (Name, salary, titles, etc.) concerning all persons employed at the BOP in 2018. The OPM responded to the FOIA request, assigning Plaintiff a Tracking Number (Currently unknown, as Plaintiff does not have access to his...
(see attached))

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

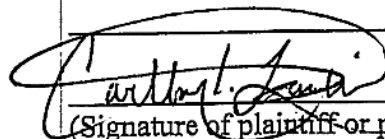
Plaintiff requests that this Court enjoin the defendants to disclose to Plaintiff all documents consistent with the FOIA requests mentioned in this complaint. Plaintiff requests that this Court sanction, pursuant to FOIA, defendants if it is discovered that any of the defendants acted maliciously in regard to the FOIA request mentioned herein. Plaintiff requests that this Court grant any other relief the Court deems appropriate.

VI. The plaintiff demands that the case be tried by a jury. ☐ YES ☒ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 30 day of October, 2019



(Signature of plaintiff or plaintiffs)

Carlton T. Landis

(Print name)

24449-056

(I.D. Number)

Administrative United States Penitentiary

P.O. Box 1001

Thomson, IL 61285

(Address)

II. Defendants (Cont.)

D. Executive Office of United States Attorneys

Federal Agency

Three Constitution Square, 5th Floor, 175 N Street, N.E., Washington, DC 20530

III. Lawsuits (Cont.)

Second Suit

A. Landis v. Wilson; 1:19-cv-1301

B. July 25, 2019

C. Carlton Theodore Landis

D. Wilson, Beachel, Scott, Troutman, Saylor, Ordóñez, Leonawicz, Stroud, Karp, Dees, Mitterling, Colbert, Ayers, Herwitz, Connors, Bureau of Prisons, Honkle, Brown, Enigh, Ormand, Barner

E. Middle District of Pennsylvania

F. Christopher C. Conner

G. Defendants violated plaintiff's rights by maliciously tightening restraints.

H. Pending

I. N/A

Third Suit

A. Landis v. Martin; 3:19-cv-177-DPJ-FKB

B. March 15, 2019

C. Carlton Theodore Landis

D. Martin, Curry, Singleton, Evans, Lott, Rogers, Crimaldi, Taylor,

E. Southern District of Mississippi

F. F. Keith Ball

G. Defendants violated plaintiff's rights by keeping plaintiff in segregation for six months.

H. Pending

I. N/A

Fourth Suit

A. Landis v. Murton; 19-cv-50257

B. October 7, 2019

C. Carlton Theodore Landis

D. Murton, Erskine, Young, Maybury, Martinez, Rohbaugh,
Dierker, Hudson

E. Northern District of Illinois

F. Rebecca B. Pallmeyer

G. Defendant violated Plaintiff's rights by improper placement of
restraints

H. Pending

I. N/A

IV. Statement of Claim (Cont.)

Property). On or about September of 2019 Plaintiff submitted an inquiry letter to the BOP in regard to this request, but Plaintiff never received a response.

5. On or about March of 2019 Plaintiff submitted a FOIA request to the BOP, requesting that it disclose all information pertaining to all civil suits rendered against any prison official employed at USP Lewisburg since the inception of the Special Management Unit at USP Lewisburg. The information was to consist of, but not be limited to, case name, settlement type, nature of suit, parties involved, etc. The BOP responded to the FOIA request, assigning Plaintiff a Tracking Number (currently unknown, as Plaintiff does not have access to his property); the BOP claimed that the request, which was considered "complex", would take up to nine months to fulfill. On or about September of 2019 Plaintiff submitted an inquiry letter to the BOP in regard to this request, but Plaintiff never received a response.

6. On or about May of 2019 Plaintiff submitted a FOIA request to the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"), requesting that it disclose a listing of all persons and/or businesses licensed in firearms and explosives in the state of Pennsylvania. The ATF responded to the FOIA request, assigning Plaintiff a Tracking Number (currently unknown, as Plaintiff does not have access to his property); the ATF claimed that the request, which was considered "simple", would take up to sixty (60) days to fulfill. On or about September of 2019 Plaintiff submitted an inquiry letter to the ATF in regard to this request, but Plaintiff never received a response.

7. On or about May of 2019 Plaintiff submitted a FOIA/Privacy Act request to the Executive Office of United States Attorneys ("EOUSA"), requesting that it disclose all records in its possession pertaining to USA v. Landis (Fourth Circuit, North Carolina) and to Document 30-1 (of Docket Sheet) and the Docket Sheet of Bone v. Crawford (Third Circuit, Pennsylvania). The EOUSA responded to the FOIA request, assigning Plaintiff a Tracking Number (currently unknown, as Plaintiff does not have access to his property); the EOUSA never stated how long it would take to fulfill the "complex" request. On or about September of 2019 Plaintiff submitted an inquiry letter to the EOUSA in regard to this request, but ~~no response~~ Plaintiff never received a response.

8. To date, Plaintiff has not received any of the aforementioned FOIA requests.